



How Do I File a Health Information Privacy Complaint?

HIPAA Privacy ♦ October 2004

The Military Health System (MHS) Notice of Privacy Practices (NoPP) is provided to beneficiaries as a requirement of the Health Insurance Portability and Accountability Act (HIPAA) of 1996. It describes how the MHS may use and disclose your health information, with whom that information may be shared, and the safeguards in place to protect it. It also explains patient rights under the Act. To view the HIPAA Privacy Rule go to <http://www.hhs.gov/ocr/hipaa/finalreg.html>. You may view the MHS NoPP at http://www.tricare.osd.mil/tmaprivacy/hipaa/hipaacompliance/images/pdf/Notice-of-Privacy-Practice-FINAL-FOR-PRINTING-10_21_02.pdf or obtain a copy at your Military Treatment Facility (MTF). Specific questions about the notice may be directed to PrivacyMail@tma.osd.mil.

If you believe that a MTF or other MHS component has violated your (or someone else's) health information privacy rights or committed another violation of the HIPAA Privacy Rule, you may file a written complaint with your local MTF HIPAA Privacy Officer. If you feel the issue has not been, or cannot be appropriately addressed at the MTF level you may file a complaint with the TRICARE Management Activity (TMA) Privacy Office. You also have the right to make inquiries or address complaints directly to the Department of Health and Human Services (HHS). The HHS website is <http://www.hhs.gov/ocr/privacyhowtofile.htm> or you may call 1-866-627-7748.

Any alleged violation must have occurred on or after April 14, 2003. Complaints to the MTF HIPAA Privacy Officer or TMA Privacy Officer must:

- (1) Be made in writing (electronic messages will not be accepted);
- (2) Name the Military Treatment Facility that is the subject of the complaint;
- (3) Describe the act(s) or omission(s) believed to be in violation of the applicable requirements of the HIPAA Privacy Rule or MHS NoPP; and
- (4) Be filed within 180 days of when you knew that the act or omission occurred.

The above information may be communicated by letter, or by completing and signing the attached Health Information Privacy Complaint Form. Please send your letter or completed form to the MTF where the alleged violation took place or to the TMA Privacy Officer as appropriate. The TMA Privacy Office address is TRICARE Management Activity, Privacy Office, Five Skyline Place, Suite 810, 5111 Leesburg Pike, Falls Church, VA 22041-3206. You will be contacted in writing and notified of either the results of the investigation of your complaint, or that additional time will be required to fully examine the issue and respond.

PrivacyMail@tma.osd.mil ♦ www.tricare.osd.mil/tmaprivacy

TMA Privacy Office 5111 Leesburg Pike, Suite 810 Falls Church, VA 22041